IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant(s) : Jonathan Feinberg Examiner : Omar R. Ali

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Title : METHOD AND SYSTEM FOR SENSING AND REPORTING DETAILED ACTIVITY INFORMATION REGARDING CURRENT AND RECENT INSTANT MESSAGING SESSIONS OF REMOTE USERS

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APPEAL BRIEF

The Notice of Appeal was filed on December 7, 2010, and this Appeal Brief is responsive to the Final Office Action dated June 8, 2010.

I. Real Party in Interest

The real party in interest is International Business Machines Corporation.

II. Related Appeals and Interferences

Appellants are not aware of any appeals or interferences that are related to the present case.

III. Status of the Claims

This is an Appeal Brief from a decision dated June 8, 2010, finally rejecting all the claims currently pending in the present application. No claims have been allowed.

The currently pending claims are 1-10 and 33-45.

The status of claims 1-10 and 33-45 is rejected.

The status of claims 11-32 is cancelled.

The rejections of claims 1-10 and 33-45 under 35 U.S.C. 103 are the subject of this appeal.

IV. Status of Amendments

The claims were last amended in the Amendment filed February 20, 2010. No amendments have been made following the Final Office Action of June 8, 2010.

V. Summary of Claimed Subject Matter

Claim 1 sets forth a computer-implemented method for providing a local computer user with detailed activity information regarding instant messaging sessions of remote users, comprising:

sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said remote computer system, wherein said number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions (see for example page 5, lines 10-14, page 11 line 12 through page 13 line 11, and shown in step 80 of Fig. 2);

conveying said number of instant messaging sessions associated with said user of said remote computer system from said remote computer system to an awareness server application process (see for example lines 15-19 of page 5, and from line 12 on page 13 through line 4 on page 15, and also shown in step 82 of Fig. 2, step 84 of Fig. 2, and step 114 in Fig. 3);

conveying said number of instant messaging sessions associated with said user of said remote computer system from said awareness server application to an awareness client application process executing on a local computer system (see for example lines 15-19 of page 5, and from line 12 on page 13 through line 4 on page 15, and also shown in step 82 of Fig. 2, step 84 of Fig. 2, and step 114 in Fig. 3); and

presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer system user, said number of instant messaging sessions associated with said user of said remote computer system in a display for said local computer system (see for example line 21 on page 4 through line 9 on page 5, step 86 of Fig. 2 and step 116 in Fig. 3. See also page 19 lines 1-6, reference number 182 in Fig. 7, and from line 21 on page 23 through line 12 on page 24).

Claim 2 sets forth the method of claim 1, further comprising:

sensing, at said remote computer system, an activity level associated with at least one of said instant messaging sessions associated with said user of said remote computer system (see for example page 5, lines 10-14, from page 11 line 12 through page 13 line 11, and step 80 of Fig. 2);

conveying said activity level associated with said at least one of said instant messaging sessions from said remote computer system to said awareness server application process (see for example lines 15-19 of page 5, from line 12 on page 13 through line 4 on page 15, and step 82 of Fig. 2, step 84 of Fig. 2, and step 114 in Fig. 3); and

presenting, by said awareness client application process, said activity level associated with said at least one of said instant messaging sessions associated with said user of said remote computer system in said display for said local computer system (see for example lines 10-17 on page 25 and reference number 202 in Fig. 8).

Claim 3 sets forth the method of claim 2, wherein said presenting said number of instant messaging sessions associated with said user of said remote computer system, and

said presenting said activity level associated with said at least one of said instant messaging sessions associated with said user of said remote computer system, comprises:

presenting said number of instant messaging sessions associated with said remote user and said activity level associated with said at least one of said of instant messaging sessions associated with said remote user simultaneously in said display for said local computer system (see for example reference number 202 in Fig. 8).

Claim 4 sets forth the method of claim 3, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user reflects a time at which a most recent keystroke was entered by said user of said remote computer system in said at least one of said instant messaging sessions (see for example Fig. 9 reference number 22, and line 18 on page 25 through line 2 on page 26).

Claim 5 sets forth the method of claim 4, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user reflects a time at which a most recent text message was received by said user of said remote computer system in said at least one of said instant messaging sessions (see for example page 31 in lines 10-11 and reference number 450 in Fig. 19).

Claim 6 sets forth the method of claim 5, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user further indicates a time at which said at least one of said instant messaging sessions was initiated (see for example lines 4-6 on page 36, and reference number 574 in Fig. 24).

Claim 7 sets forth the method of claim 5, further comprising sensing, at said remote computer system, an identity of at least one other participant in at least one of said instant messaging sessions associated with said user of said remote computer system;

conveying said identity of said at least one other participant from said remote computer system to said awareness server application process; and presenting, by said awareness client application process, said identity of said at least one other participant in said display for said local computer system (see for example reference number 574 in Fig. 24, and supported on page 36 in lines 4-6, and as indicated by reference number 450 in Fig. 19).

Claim 8 sets forth the method of claim 1, wherein said presenting said number of instant messaging sessions associated with said user of said remote computer system comprises presenting a modal dialog box in response to detection of a request by a user of said local computer system for an instant messaging session with said user of said remote computer system, wherein said modal dialog box provides an interface for said user of said local computer system to provide an indication of whether to terminate said request for said instant messaging session with said user of said remote computer system (see for example line 19 on page 24 through line 5 on page 25).

Claim 9 sets forth the method of claim 1, further comprising:

presenting an interface to said user of said local computer system, wherein said interface enables said user of said local computer system to indicate whether a number of instant messaging sessions associated with said user of said local computer system is to be shared with other users (see for example lines 3-21 on page 26, and as shown in Fig. 10).

Claim 10 sets forth the method of claim 1, further comprising:

presenting an interface to said user of said local computer system, wherein said interface enables said user of said local computer system to specify one or more other

users with which a number of instant messaging sessions associated with said user of said local computer system is to be shared (see for example lines 3-21 on page 26 and shown in Fig. 10).

Claim 33 sets forth the method of claim 1, further comprising:

displaying, by said awareness client application process, information indicating of which participant initiated each of said instant messaging sessions associated with said user of said remote computer system in said display for said local computer system (see for example reference number 450 in Fig. 450).

Claim 34 sets forth a system comprising:

at least one computer readable storage medium said computer readable storage medium having computer-executable program code stored thereon for providing a local computer user with detailed activity information regarding instant messaging sessions of remote users, said program code comprising

> program code for sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said remote computer system, wherein said number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions (see for example page 5, lines 10-14, page 11 line 12 through page 13 line 11, and shown in step 80 of Fig. 2),

program code for conveying said number of instant messaging sessions associated with said user of said remote computer system from said remote computer system to an awareness server application process (see for example lines 15-19 of page 5, and from line 12 on page 13 through line 4 on page 15, and also shown in step 82 of Fig. 2, step 84 of Fig. 2, and step 114 in Fig. 3),

program code for conveying said number of instant messaging sessions associated with said user of said remote computer system from said awareness server application to an awareness client application process executing on a local computer system (see for example lines 15-19 of page 5, and from line 12 on page 13 through line 4 on page 15, and also shown in step 82 of Fig. 2, step 84 of Fig. 2, and step 114 in Fig. 3), and

program code for presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer system user, said number of instant messaging sessions associated with said user of said remote computer system in a display for said local computer system (see for example line 21 on page 4 through line 9 on page 5, step 86 of Fig. 2 and step 116 in Fig. 3. See also page 19 lines 1-6, reference number 182 in Fig. 7, and from line 21 on page 23 through line 12 on page 24).

Claim 35 sets forth the system of claim 34, said program code further comprising:

program code for sensing, at said remote computer system, an activity level associated with at least one of said instant messaging sessions associated with said user of said remote computer system (see for example page 5, lines 10-14, from page 11 line 12 through page 13 line 11, and step 80 of Fig. 2);

program code for conveying said activity level associated with said at least one of said instant messaging sessions from said remote computer system to said awareness server application process (see for example lines 15-19 of page 5, from line 12 on page 13 through line 4 on page 15, and step 82 of Fig. 2, step 84 of Fig. 2, and step 114 in Fig. 3); and

program code for presenting, by said awareness client application process, said activity level associated with said at least one of said instant messaging sessions associated with said user of said remote computer system in said display for said local computer system (see for example lines 10-17 on page 25 and reference number 202 in Fig. 8).

Claim 36 sets forth the system of claim 35, said program code further comprising:

program code for presenting said number of instant messaging sessions associated with said remote user and said activity level associated with said at least one of said of instant messaging sessions associated with said remote user simultaneously in said display for said local computer system (see for example reference number 202 in Fig. 8).

Claim 37 sets forth the system of claim 36, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user reflects a time at which a most recent keystroke was entered by said user of said remote computer system in said at least one of said instant messaging sessions (see for example Fig. 9 reference number 22, and line 18 on page 25 through line 2 on page 26).

Claim 38 sets forth the system of claim 37, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user reflects a time at which a most recent text message was received by said user of said

remote computer system in said at least one of said instant messaging sessions (see for example page 31 in lines 10-11 and reference number 450 in Fig. 19).

Claim 39 sets forth the system of claim 38, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user further indicates a time at which said at least one of said instant messaging sessions was initiated (see for example lines 4-6 on page 36, and reference number 574 in Fig. 24).

Claim 40 sets forth the system of claim 38, said program code further comprising:

program code for sensing, at said remote computer system, an identity of at least one other participant in at least one of said instant messaging sessions associated with said user of said remote computer system; program code for conveying said identity of said at least one other participant from said remote computer system to said awareness server application process; and program code for presenting, by said awareness client application process, said identity of said at least one other participant in said display for said local computer system (see for example reference number 574 in Fig. 24, and supported on page 36 in lines 4-6, and as indicated by reference number 450 in Fig. 19).

Claim 41 sets forth the system of claim 34, wherein said program code for presenting said number of instant messaging sessions associated with said user of said remote computer system comprises program code for presenting a modal dialog box in response to detection of a request by a user of said local computer system for an instant messaging session with said user of said remote computer system, wherein said modal dialog box provides an interface for said user of said local computer system to provide an indication of whether to terminate said request for said instant messaging session with

said user of said remote computer system (see for example line 19 on page 24 through line 5 on page 25).

Claim 42 sets forth the system of claim 34, said program code further comprising:

program code for presenting an interface to said user of said local computer system, wherein said interface enables said user of said local computer system to indicate whether a number of instant messaging sessions associated with said user of said local computer system is to be shared with other users (see for example lines 3-21 on page 26, and as shown in Fig. 10).

Claim 43 sets forth the system of claim 34, said program code further comprising:

program code for presenting an interface to said user of said local computer system, wherein said interface enables said user of said local computer system to specify one or more other users with which a number of instant messaging sessions associated with said user of said local computer system is to be shared (see for example lines 3-21 on page 26 and shown in Fig. 10).

Claim 44 sets forth the system of claim 34, said program code further comprising:

program code for presenting, by said awareness client application process, an identity of an initiator of each of said instant messaging sessions associated with said user of said remote computer system in said display for said local computer system (see for example reference number 450 in Fig. 450).

Claim 45 sets forth a computer program product comprising:

a computer readable storage medium said computer readable storage medium having computer-executable program code stored thereon for providing a local computer

user with detailed activity information regarding instant messaging sessions of remote users, said program code comprising

program code for sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said remote computer system, wherein said number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions (see for example page 5, lines 10-14, page 11 line 12 through page 13 line 11, and shown in step 80 of Fig. 2),

program code for conveying said number of instant messaging sessions associated with said user of said remote computer system from said remote computer system to an awareness server application process (see for example lines 15-19 of page 5, and from line 12 on page 13 through line 4 on page 15, and also shown in step 82 of Fig. 2, step 84 of Fig. 2, and step 114 in Fig. 3),

program code for conveying said number of instant messaging sessions associated with said user of said remote computer system from said awareness server application to an awareness client application process executing on a local computer system (see for example lines 15-19 of page 5, and from line 12 on page 13 through line 4 on page 15, and also shown in step 82 of Fig. 2, step 84 of Fig. 2, and step 114 in Fig. 3), and

program code for presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer system user, said number of instant messaging sessions associated with said user of said remote computer system in a display for said local computer system (see for example line 21 on page 4 through line 9 on page 5, step 86 of Fig. 2 and step 116 in Fig. 3. See also page 19 lines 1-6, reference number 182 in Fig. 7, and from line 21 on page 23 through line 12 on page 24).

VI. Grounds of Rejection to be Reviewed on Appeal

Claims 1-3, 8-10, 33-36 and 41-45 stand rejected for obviousness under 35 U.S.C. 103, based on the combination of United States patent 6,697,840 ("Godefroid") with United States patent 6,212,548 ("DeSimone") and United States patent 7,275,215 ("Werndorfer").

Dependent claims 4-7 and 37-40 stand rejected for obviousness under 35 U.S.C. 103, based on the combination of Godefroid, DeSimone, and Werndorfer, further combined with United States patent 7,124,372 ("Brin").

VII. Argument

The Examiner has failed to establish a *prima facie* case of obviousness under 35 U.S.C. 103 in the rejection of the independent claims 1, 34 and 45 using either the combination of Godefroid, DeSimone, and Werndorfer or the combination of Godefroid, DeSimone, Werndorfer and Brin.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Appellants respectfully assert that the cited combinations do not disclose or suggest *sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said remote computer system,* ***wherein said number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system****, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions;* [and] *presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer system user, said number of instant messaging sessions associated with said user of said remote computer system in a display for said local computer system*, as in the present independent claims 1, 34 and 45.

United States patent 6,697,840 ("Godefroid"):

In column 5, beginning at line 19, Godefroid teaches that a user may inquire about the on-line presence of other users. Specifically, in lines 21-31 of column 5, Godefroid teaches a use may be interested in specific aspects of the on-line presence of other users. In this regard, Godefroid teaches that a user may be

interested in whether another user is currently in a collaborative session, the screen saver status of the other user, whether the other user is in a collaborative session, who the other participants are in such a collaborative session, and how long the other user has been chatting. To support such inquiries intended to meet these user interests, Godefroid discloses a user interface that may send check-availability (X), check-name(X), check-chatters(X) messages to "the rest of the Presence Awareness System," and that receives available(X), unavailable(X), name(real(X), pseudo(Y)), and chatters(SID, SetOfChatters) response messages from the rest of the Presence Awareness System. Each chat session in such response messages may be identified by a globally unique id "SID". See lines 41-48 in column 5.

United States patent 6,212,548 ("DeSimone"):

DeSimone discloses a system and method for multiple asynchronous text chat conversations, in which users communicate in multiple real-time text conversations (e.g., "chat sessions") in a client-server message processing environment using messages including a conversation index, a conversation-initiator ID and a list of message recipients. Each conversation in DeSimone is maintained at client terminals in an individual window. DeSimone discloses dropping and controlled adding of conversation participants with message updates to other participants, and that alternative peer-to-peer message handling reduces the processing burden on servers while allowing clients to perform control and display functions.

In Fig. 7, DeSimone shows multiple chat windows displaying chat sessions of a local user "Dawn". From line 61 in column 13 through line 40 in column 14, DeSimone describes how an initiator of a session can become a participant in another session in response to an indication made by an already existing participant in the other session.

United States patent 7,275,215 ("Werndorfer"):

Werndorfer discloses a system for instant messaging that includes categorizing two or more instant messaging contact names into a single meta contact, receiving a request to transmit an instant message directed to the meta contact, and selecting one of the two or more instant messaging contact names within the meta contact to which to transmit the instant message based on a specified prioritization scheme. Fig. 7 of Werndorfer shows a pop-up information screen 702 showing information about an online contact in a contact list, including the time the contact has been online, and the communication capabilities of the selected contact.

Claims 1-3, 8-10, 33-36 and 41-45:

Nothing in the combination of Godefroid, DeSimone, and Werndorfer discloses or suggests a method for providing a local computer user with detailed activity information regarding instant messaging sessions of remote users, comprising:

sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said remote computer system, wherein said

number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions;

conveying said number of instant messaging sessions associated with said user of said remote computer system from said remote computer system to an awareness server application process;

conveying said number of instant messaging sessions associated with said user of said remote computer system from said awareness server application to an awareness client application process executing on a local computer system; and

presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer system user, said number of instant messaging sessions associated with said user of said remote computer system in a display for said local computer system. (emphasis added)

as in the present independent claim 1. Neither Godefroid, DeSimone, nor Werndorfer, taken independently or in combination, describe or suggest even the desirability of *a remote computer system sensing a number of instant messaging sessions associated with a user of the remote computer system* ***that is a total number of display windows currently open for instant messaging sessions on the remote computer system****, and presenting, by an awareness client application process, responsive to a local computer system user selecting the remote computer system user, the number of instant messaging sessions associated with the user of the remote computer system in a display for the local computer system,* as for example in the present independent claim 1. While Godefroid teaches providing information regarding a remote user that includes i) an indication of whether the remote user is currently in a collaboration session, ii) the identities of other participants in such a current collaboration session, and iii) the time the remote user has been chatting, and DeSimone includes a user interface (Fig. 7)

that simultaneously shows two sessions in which a local user is currently participating and the participants therein, and while Werndorfer shows a user interface (also Fig. 7) through which online time and capabilities of a contact are displayed, nothing in Godefroid, DeSimone and/or Werndorfer discloses even the desirability of a remote computer system determining how many windows are open on the remote computer system for instant messaging sessions associated with a selected remote user. Instead, the teachings of the cited combination recognize only a local user's interest as to whether the remote user is currently involved in any collaborative session (as described by the user interface messages in Godefroid), whether the remote user is currently a participant in any one of multiple collaborative sessions open with the local user (as made available through the local user interface in Fig. 7 of DeSimone), and that allows information regarding the on-line presence of a contact to be displayed in response to selection of the contact through a contact list (Fig. 7 of Werndorfer). Accordingly, it naturally follows that the combination of Godefroid, DeSimone and Werndorfer include no teaching or suggestion of the above highlighted features of the present independent claim 1.

In paragraph 3 of the Final Office Action, the Examiner recognizes that Godefroid does not disclose sensing the total number of display windows currently open for instant messaging sessions on the remote computer system of a selected remote user, and goes on to attribute this feature of the present independent claims to the teachings of DeSimone. Appellants respectfully urge that the multiple windows in Fig. 7 of DeSimone are provided on the local

computer system of the local user, and provide information about which other users are involved in those current sessions. Moreover, in lines 28-40 of column 14 in DeSimone, the purpose of the multiple windows shown in Fig. 7 is described as allowing the local user to add a participant shown in one of the local display windows to a session associated with another of the local display windows. Such teachings fail to provide anything beyond what is taught by the remainder of the combined references with regard to even the desirability of sensing a total number of display windows currently open for instant messaging sessions on the remote computer system of a selected remote user.

Additionally, the sensing of a total number of display windows currently open for instant messaging sessions on the remote computer system for a selected remote user, as in the present independent claims, would not be in order to "allow a user to keep track of all chat participants", as indicated by the Examiner in paragraph 3 of the Final Office Action. Instead, the above highlighted features of the present claims provide the local computer user with a specific type of detailed activity information regarding the instant messaging sessions of the selected remote user that is not disclosed or suggested in the cited combination, and the desirability of which is therefore not to "allow a user to keep track of all chat participants", as stated by the Examiner.

As to independent claim 34, it should be evident from the above that the combination of Godefroid, DeSimone and/or Werndorfer also does not disclose or suggest a system that includes program code for ***sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said***

remote computer system, wherein said number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system*, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions, and program code for presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer system user, said number of instant messaging sessions associated with said user of said remote computer system in a display for said local computer system*, as in the present independent claim 34.

As to independent claim 45, it should be evident from the above that the combination of Godefroid, DeSimone and/or Werndorfer also does not disclose or suggest a computer program product that includes program code for ***sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said remote computer system, wherein said number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system****, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions, and program code for presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer system user, said number of instant*

messaging sessions associated with said user of said remote computer system in a display for said local computer system, as in the present independent claim 45.

For the above reasons, Appellants respectfully submit that the combination of Godefroid, DeSimone and/or Werndorfer does not disclose or suggest all the features of the present independent claims 1, 34 and 45. Accordingly, the combination of Godefroid, DeSimone and/or Werndorfer does not support a *prima facie* case of obviousness under 35 U.S.C. 103 with regard to the present independent claims under 35 U.S.C. 103. Dependent claims 2-3, 8-10, 33, 35, 36, 41, 42, 43, and 44 are respectfully believed to be patentable over Godefroid, DeSimone and/or Werndorfer for at least the same reasons.

Dependent Claims 4-7 and 37-40:

As explained above, Godefroid, DeSimone and Werndorfer do not disclose or suggest all the features of the present independent claims 1 and 34. Adding the disclosure of Brin to Godefroid, DeSimone and Werndorfer fails to remedy the above described shortcomings of Godefroid, DeSimone and Werndorfer. Brin discloses a system that is capable of storing a time stamp in association with a specific portion of text (see Fig. 4B). However, like Godefroid, DeSimone, and Werndorfer, Brin includes no teaching or suggestion of *a remote computer system sensing a number of instant messaging sessions associated with a user of the remote computer system that is a total number of display windows currently open for instant messaging sessions on the remote computer system, and presenting, by an awareness client application process, responsive to a local*

computer system user selecting the remote computer system user, the number of instant messaging sessions associated with the user of the remote computer system in a display for the local computer system, as in the present independent claims 1 and 34, from which claims 37-40 depend.

Appellants accordingly submit that the combination of Godefroid, DeSimone, Werndorfer and Brin does not disclose all the features of the present independent claims 1 and 34, and accordingly does not support a *prima facie* case of obviousness with regard to the present independent claims 1 and 34 under 35 U.S.C. 103. As claims 4-7 and 37-40 depend from claims 1 and 34, they are respectfully believed to be patentable over the combination of Godefroid, DeSimone, Werndorfer and Brin for at least the same reasons.

Conclusion

For the reasons above, Appellants respectfully submit that the rejections of the present claims under 35 U.S.C. 103 are improper for at least the reasons set forth above. Appellants accordingly request that the rejections be withdrawn and the pending claims be allowed.

Respectfully submitted,

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VIII. Claims Appendix

The claims are as follows.

1. (previously presented) A computer-implemented method for providing a local computer user with detailed activity information regarding instant messaging sessions of remote users, comprising:

sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said remote computer system, wherein said number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions;

conveying said number of instant messaging sessions associated with said user of said remote computer system from said remote computer system to an awareness server application process;

conveying said number of instant messaging sessions associated with said user of said remote computer system from said awareness server application to an awareness client application process executing on a local computer system; and

presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer system user, said number of instant

messaging sessions associated with said user of said remote computer system in a display for said local computer system.

2. (original) The method of claim 1, further comprising:

sensing, at said remote computer system, an activity level associated with at least one of said instant messaging sessions associated with said user of said remote computer system;

conveying said activity level associated with said at least one of said instant messaging sessions from said remote computer system to said awareness server application process; and

presenting, by said awareness client application process, said activity level associated with said at least one of said instant messaging sessions associated with said user of said remote computer system in said display for said local computer system.

3. (original) The method of claim 2, wherein said presenting said number of instant messaging sessions associated with said user of said remote computer system, and said presenting said activity level associated with said at least one of said instant messaging sessions associated with said user of said remote computer system, comprises:

presenting said number of instant messaging sessions associated with said remote user and said activity level associated with said at least one of said of instant messaging sessions associated with said remote user simultaneously in said display for said local computer system.

4. (original) The method of claim 3, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user reflects a time at which a most recent keystroke was entered by said user of said remote computer system in said at least one of said instant messaging sessions.

5. (original) The method of claim 4, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user reflects a time at which a most recent text message was received by said user of said remote computer system in said at least one of said instant messaging sessions.

6. (original) The method of claim 5, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user further indicates a time at which said at least one of said instant messaging sessions was initiated.

7. (original) The method of claim 5, further comprising:

sensing, at said remote computer system, an identity of at least one other participant in at least one of said instant messaging sessions associated with said user of said remote computer system;

conveying said identity of said at least one other participant from said remote computer system to said awareness server application process; and

presenting, by said awareness client application process, said identity of said at least one other participant in said display for said local computer system.

8. (original) The method of claim 1, wherein said presenting said number of instant messaging sessions associated with said user of said remote computer system comprises presenting a modal dialog box in response to detection of a request by a user of said local computer system for an instant messaging session with said user of said remote computer system, wherein said modal dialog box provides an interface for said user of said local computer system to provide an indication of whether to terminate said request for said instant messaging session with said user of said remote computer system.

9. (original) The method of claim 1, further comprising:

presenting an interface to said user of said local computer system, wherein said interface enables said user of said local computer system to indicate whether a number of instant messaging sessions associated with said user of said local computer system is to be shared with other users.

10. (original) The method of claim 1, further comprising:

presenting an interface to said user of said local computer system, wherein said interface enables said user of said local computer system to specify one or more other users with which a number of instant messaging sessions associated with said user of said local computer system is to be shared.

11. (cancelled)

12. (cancelled)

13. (cancelled)

14. (cancelled)

15. (cancelled)

16. (cancelled)

17. (cancelled)

18. (cancelled)

19. (cancelled)

20. (cancelled)

21. (cancelled)

22. (cancelled)

23. (cancelled)

24. (cancelled)

25. (cancelled)

26. (cancelled)

27. (cancelled)

28. (cancelled)

29. (cancelled)

30. (cancelled)

31. (cancelled)

32. (cancelled)

33. (previously presented) The method of claim 1, further comprising:

displaying, by said awareness client application process, information indicating of which participant initiated each of said instant messaging sessions associated with said user of said remote computer system in said display for said local computer system.

34. (previously presented) A system comprising:

at least one computer readable storage medium said computer readable storage medium having computer-executable program code stored thereon for providing a local computer user with detailed activity information regarding instant messaging sessions of remote users, said program code comprising

program code for sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said remote computer system, wherein said number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions,

program code for conveying said number of instant messaging sessions associated with said user of said remote computer system from said remote computer system to an awareness server application process,

program code for conveying said number of instant messaging sessions associated with said user of said remote computer system from said awareness server application to an awareness client application process executing on a local computer system, and

program code for presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer system user, said number of instant messaging sessions associated with said user of said remote computer system in a display for said local computer system.

35. (previously presented) The system of claim 34, said program code further comprising:

program code for sensing, at said remote computer system, an activity level associated with at least one of said instant messaging sessions associated with said user of said remote computer system;

program code for conveying said activity level associated with said at least one of said instant messaging sessions from said remote computer system to said awareness server application process; and

program code for presenting, by said awareness client application process, said activity level associated with said at least one of said instant messaging sessions associated with said user of said remote computer system in said display for said local computer system.

36. (previously presented) The system of claim 35, said program code further comprising:

program code for presenting said number of instant messaging sessions associated with said remote user and said activity level associated with said at least one of said of instant messaging sessions associated with said remote user simultaneously in said display for said local computer system.

37. (previously presented) The system of claim 36, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user reflects a time at which a most recent keystroke was entered by said user of said remote computer system in said at least one of said instant messaging sessions.

38. (previously presented) The system of claim 37, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user reflects a time at which a most recent text message was received by said user of said remote computer system in said at least one of said instant messaging sessions.

39. (previously presented) The system of claim 38, wherein said activity level associated with said at least one of said instant messaging sessions associated with said remote user further indicates a time at which said at least one of said instant messaging sessions was initiated.

40. (previously presented) The system of claim 38, said program code further comprising:

program code for sensing, at said remote computer system, an identity of at least one other participant in at least one of said instant messaging sessions associated with said user of said remote computer system;

program code for conveying said identity of said at least one other participant from said remote computer system to said awareness server application process; and

program code for presenting, by said awareness client application process, said identity of said at least one other participant in said display for said local computer system.

41. (previously presented) The system of claim 34, wherein said program code for presenting said number of instant messaging sessions associated with said user of said

remote computer system comprises program code for presenting a modal dialog box in response to detection of a request by a user of said local computer system for an instant messaging session with said user of said remote computer system, wherein said modal dialog box provides an interface for said user of said local computer system to provide an indication of whether to terminate said request for said instant messaging session with said user of said remote computer system.

42. (previously presented) The system of claim 34, said program code further comprising:

program code for presenting an interface to said user of said local computer system, wherein said interface enables said user of said local computer system to indicate whether a number of instant messaging sessions associated with said user of said local computer system is to be shared with other users.

43. (previously presented) The system of claim 34, said program code further comprising:

program code for presenting an interface to said user of said local computer system, wherein said interface enables said user of said local computer system to specify one or more other users with which a number of instant messaging sessions associated with said user of said local computer system is to be shared.

44. (previously presented) The system of claim 34, said program code further comprising:

program code for presenting, by said awareness client application process, an identity of an initiator of each of said instant messaging sessions associated with said user of said remote computer system in said display for said local computer system.

45. (previously presented) A computer program product comprising:

a computer readable storage medium said computer readable storage medium having computer-executable program code stored thereon for providing a local computer user with detailed activity information regarding instant messaging sessions of remote users, said program code comprising

program code for sensing, at a remote computer system, a number of instant messaging sessions associated with a user of said remote computer system, wherein said number of instant messaging sessions associated with said user of said remote computer system is a total number of display windows currently open for instant messaging sessions on said remote computer system, and wherein said number of instant messaging sessions associated with said user of said remote computer system is a plurality of instant messaging sessions,

program code for conveying said number of instant messaging sessions associated with said user of said remote computer system from said remote computer system to an awareness server application process,

program code for conveying said number of instant messaging sessions associated with said user of said remote computer system from said awareness server application to an awareness client application process executing on a local computer system, and

program code for presenting, by said awareness client application process, responsive to said local computer system user selecting said remote computer

system user, said number of instant messaging sessions associated with said user of said remote computer system in a display for said local computer system.

IX. Evidence Appendix

None.

X. Related Proceedings Appendix

None.